

**Amendment and Response**

Applicant: Melissa D. Boyd et al.

Serial No.: 10/723,891

Filed: November 26, 2003

Docket No.: 10970792-4

Title: PLATFORM INCLUDING FLUID MANIFOLD FOR MULTIPLE FLUID EJECTION DEVICES**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed September 14, 2004, in which claims 20-45 were rejected. With this amendment, claims 23-25, 32-34, 40, and 44 have been cancelled without prejudice, and claims 20-22, 26, 29, 35, 38, 39, and 41-43 have been amended to clarify Applicant's invention. Claims 20-22, 26-31, 35-39, 41-43, and 45, therefore, remain pending in the application and are presented for reconsideration and allowance.

**Claim Rejections under 35 U.S.C. § 112**

Claims 25 and 34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

With this Amendment, claims 25 and 34 have been cancelled without prejudice. The rejection of claims 25 and 34 under 35 U.S.C. 112, second paragraph, therefore, is rendered moot.

**Double Patenting**

Claims 26, 35, and 41 are rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1, 8, and 15 of prior U.S. Patent No. 6,679,596.

With this Amendment, independent claim 20 (from which claim 26 depends) and independent claim 29 (from which claim 35 depends) have each been amended to clarify that the platform has a first plurality of fluid feed slots and a second plurality of fluid feed slots defined therein, and that the fluid manifold includes a first channel communicating with the fluid inlet, a first plurality of sub-channels each communicating with the first channel and one of the first plurality of fluid feed slots, a second channel communicating with the fluid outlet, a second plurality of sub-channels each communicating with the second channel and one of the second plurality of fluid feed slots, and a third plurality of sub-channels each communicating with one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots. In addition, independent claim 38 (from which claim 41 depends) has been amended to clarify that the method includes forming the platform with a first plurality of fluid feed slots and a second plurality of fluid feed slots therein, and that

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fluidically coupling each of the first plurality of fluid feed slots and the second plurality of fluid feed slots with the fluid inlet and the fluid outlet includes defining a plurality of fluid flow paths each between one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots with the fluid manifold.

With respect to U.S. Patent No. 6,679,596, this patent does not claim a fluid ejection assembly as claimed in amended independent claim 20, a fluid ejection system as claimed in amended independent claim 29, nor a method of forming a fluid ejection assembly as claimed in amended independent claim 38.

In view of the above, Applicant submits that claims 26, 35, and 41 are each patentably distinct from U.S. Patent No. 6,679,596 and, therefore, are each in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 26, 35, and 41 under 35 U.S.C. 101 be reconsidered and withdrawn and that claims 26, 35, and 41 be allowed.

**Claim Rejections under 35 U.S.C. § 102**

Claims 20-25, 27-34, 36-40, and 42-45 are rejected under 35 U.S.C. 102(b) as being anticipated by Cowger et al. U.S. Patent No. 5,565,900.

With this Amendment, independent claims 20 and 29 have each been amended to clarify that the platform has a first plurality of fluid feed slots and a second plurality of fluid feed slots defined therein, and that the fluid manifold includes a first channel communicating with the fluid inlet, a first plurality of sub-channels each communicating with the first channel and one of the first plurality of fluid feed slots, a second channel communicating with the fluid outlet, a second plurality of sub-channels each communicating with the second channel and one of the second plurality of fluid feed slots, and a third plurality of sub-channels each communicating with one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots. In addition, independent claim 38 has been amended to clarify that the method includes forming the platform with a first plurality of fluid feed slots and a second plurality of fluid feed slots therein, and that fluidically coupling each of the first plurality of fluid feed slots and the second plurality of fluid feed slots with the fluid inlet and the fluid outlet includes defining a plurality of fluid flow paths each between one of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots with the fluid manifold. In addition, independent claim 43 has been amended to clarify that the method

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includes distributing the fluid to a first plurality of fluid feed slots and a second plurality of fluid feed slots of the platform via the fluid manifold, wherein distributing the fluid to the first plurality of fluid feed slots and the second plurality of fluid feed slots includes distributing the fluid between each of the first plurality of fluid feed slots and one of the second plurality of fluid feed slots via the fluid manifold.

With respect to the Cowger et al. patent, this patent does not teach or suggest a fluid ejection assembly as claimed in amended independent claim 20, a fluid ejection system as claimed in amended independent claim 29, a method of forming a fluid ejection assembly as claimed in amended independent claim 38, nor a method of circulating fluid as claimed in amended independent claim 43.

In view of the above, Applicant submits that independent claims 20, 29, 38, and 43 are each patentably distinct from the Cowger et al. patent and, therefore, are each in a condition for allowance. Furthermore, as dependent claims 21, 22, and 26-28 further define patentably distinct claim 20, dependent claims 30, 31, and 35-37 further define patentably distinct claim 29, dependent claims 39, 41, and 42 further define patentably distinct claim 38, and dependent claim 45 further defines patentably distinct claim 43, Applicant submits that these dependent claims are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 20-22, 27-31, 36-39, 42, 43, and 45 under 35 U.S.C. 102(b) be reconsidered and withdrawn and that claims 20-22, 26-31, 35-39, 41-43, and 45 be allowed.

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Title: PLATFORM INCLUDING FLUID MANIFOLD FOR MULTIPLE FLUID EJECTION DEVICES**CONCLUSION**

In view of the above, Applicant respectfully submits that pending claims 20-22, 26-31, 35-39, 41-43, and 45 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

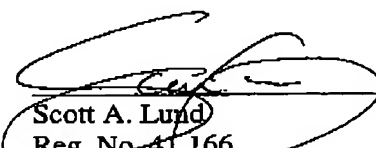
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Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 14<sup>th</sup> day of December, 2004.

  
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